

Commissioners Meeting
April 3rd, 2012 8:15 A.M.

Present: David Gogel, Mickey Toler, Al Logsdon, Jeff Lindsey, Tara Lloyd and Auditor Jane Lynam. Meeting called to order by President David Gogel at 8:15 A.M.

Minutes

3-8-12 Minutes; Toler made a motion to approve. Logsdon seconded. Motion passed. Logsdon asked about the Community Wide Communications Grant since there was nothing on the agenda concerning it. Preferred Tank and Tower had a claim previously, of which a part of had been tabled. Logsdon wanted to know if anything else had been found out about the \$2,400, as far as it being paid. Lindsey explained that the \$2,400 was held out as a penalty and it would be up to Preferred Tank and Tower if they wanted to pursue it.

3-20-12 Minutes; Gogel and Logsdon both wanted a correction concerning a petition that had been presented at the meeting. The name should have been Janice Goldsberry, not Janet Dilger. Any place Dilger's name was used should be changed to Goldsberry's. There were no other additions or corrections. Logsdon made a motion to approve with corrections, Toler seconded, motion passed.

Claims

Gogel asked if there were any questions on the claims. He explained that the county has already spent \$35,000 this year on juvenile detention. He felt that the Council might put this in the Judge's budget because the Commissioners had no control over it except to pay it. Logsdon suggested that an informational meeting between the newspapers and Judge Dartt would be a good idea to let the residents of the county know why the cost of juvenile detention is increasing so much. Logsdon said he had spoken to the judge concerning this matter and it was frightening. He felt that an Executive Session between the Judge, County Council and Commissioners might shed some light onto the subject. Toler made a motion to grant the claims, Logsdon seconded, motion passed.

COIT Claim

This claim request was for the balance of the radio tower. Gogel asked Lindsey if they were to pay half now and half later, or how exactly was the contract written? The first (4) four items of this claim are to come out of the radio tower project funds, and the next (2) two are to come out of the Commissioners budget because they are repairs. Toler made a motion to approve the claims with the stipulation that the check for \$9,994 be held until Lindsey evaluates the contract. Logsdon seconded the motion, motion passed. Logsdon explained that he had received a call from Scott Meadors who wanted to let the Commissioners know that they had received correspondence from the FCC and they were 90% sure frequencies would be released the 2nd week of April. They have started to program those frequencies into the equipment and will be completed within 60 days of receiving the frequencies. FEMA has granted a 90 day extension on the project.

Highway Report

Lloyd explained that Painter was not present due to a problem in Lincoln City that he had to take care of. He didn't have anything to report, but if the Commissioners had any questions for him they could relay them through Lloyd or call him later.

Engineer Report

Lloyd explained that John Scheithe from Burlington Civil Inc. out of Owensboro had got the Dale Lake Project, and had contacted her to get started on the Truck Line Permit (permit to haul on specific roads). Amounts have all been figured, total bond is for \$55,740. She presented forms for the Commissioners to sign. Logsdon made a motion to sign the bond for Burlington Civil Inc., Toler seconded the motion, motion passed. Logsdon said he had an issue on CR 1400 or 1350, the county road that Kevin Laswell lives on. He explained that Laswell had called him to thank him for getting his road ready for chip and seal. He said that someone was shooting grade and putting markers in the road. Since the county isn't going to chip and seal this road he said that Painter and Lloyd needed to find out who the company was that was working in the area so that Lindsey could send a letter letting them know they were in violation of the county right-

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of-way ordinance. Lloyd and Lindsey need to check the ordinance to make sure that it is stringent enough concerning a financial penalty dealing with violations.

Appointments

Jeannie Gruber has resigned from the Health Board and they have recommended Susan Martin to fill that position. Logsdon made a motion to abide by the request of the Health Board and appoint Dr Susan Martin to the Spencer County Health Board effective immediately. Toler seconded the motion, motion passed. Logsdon wanted the minutes to reflect a statement of appreciation to Dr Gruber for serving, and Dr. Martin for accepting.

Animal Control

There is an opening for one of the incorporated town positions. Ellen Sarver from Richland has agreed to serve on the Animal Control Board. Toler made a motion to appoint Ellen Sarver to serve on the Animal Control Board. Logsdon seconded the motion, motion passed. Gogel passed out an Ordinance concerning Animal Control; it is just a draft so that the Commissioners and Attorney Lindsey could look it over. He asked them to bring back any concerns, questions, addition, etc. and a few weeks down the road they could get it adopted. The Animal Control Board meets on the fourth Thursday of each month at 5:00 P.M. at Dr. Kennedy's office.

Legal Report

Lindsey explained that the building ordinance and a 2006 Resolution clarifying that a building permit shall be obtained before beginning any new construction of a building or structure the cost of which exceeds \$2,000. There is no exception for not having walls. The discrepancy is the Zoning Ordinance. The Zoning Ordinance has a definition that includes a number of walls. The approach of the Plan Commission Office has been to use that definition. They need to be advised that the definition of a building permit is different than an improvement location permit. There are two sets of definitions. There is no definition of a building or structure other than a building or structure over \$2,000. As long as Theresa Cail understands this, no changes need to be made. Logsdon asked Lindsey to speak to Cail and make sure that she understood this. Logsdon recommended Steve Daming to Phil Brown to fill the position of Deputy Building Inspector in case he ever needed someone else.

Attorney Lindsey said that after reading and studying the proposal from Time Warner Cable that his opinion was to pass on it. After discussion with the Commissioners that was the general consensus of the majority.

Lindsey had received from Adam Long, an attorney from Warrick County an Inter-local Agreement concerning Boner Bridge with one of the pages missing. He would get it corrected and bring it back to the Commissioners at the next meeting.

Also in progress, a review and update of the firearms ordinance; to get it squared away. A statute has changed and we can no longer have a blanket that says no firearms on county property. Gogel questioned if this would affect the Civil War Enactment that Gay Ann Harney had asked about having on courthouse grounds. Lindsey said it would not affect that at all. He would have a draft ready by the next meeting.

Gogel asked Lindsey if he had any more information on what they discussed before, where in Vanderburg County, the executive body had to approve the hiring of new employees even if it was in the budget of elected officials. Lindsey replied that he was going to prepare a draft example of a hiring freeze and had not gotten it done yet.

Gogel asked Toler about the Johnson Control renewal. Toler has been working with the jail and confirmed that we are in negotiations with Johnson Controls and Alpha Mechanical on the maintenance contract for the Courthouse and Jail. A decision hasn't been reached yet, but they will try to finish this week, before the contract is due on June 1st. Will let them know by phone in plenty of time. They are doing an upgrade on the security system at the jail, a preliminary downloading of the software package now to make copies of everything on the HVAC equipment. They are supposed to call and let him know a date when everything is complete on the security upgrade. The system will be the same, just an upgraded mega system from Johnson Control and it will incorporate the entire package from HVAC, the fire system, jail locks, lighting, scream alarms, everything will be incorporated in this one program, and that was an advantage of

continuing with Johnson Control. Some of the other companies that had talked to did not incorporate everything into one package. Toler felt we needed to have that.

Tower Fence Quotes

Lindsey handed out the fencing quotes for the Chrisney Tower Site.

First Quote was from Dan's Fence Company at \$8775.03

Second Quote was from Davis Fence Company at \$7,230.00

Third Quote was from Willis Fence Company, Inc. at 12,299.00

Logsdon said he felt sure that Scott Meadors had checked everything and moved to award the contract to Davis Fence from Boonville, IN, in the amount of \$7,230.00. Toler seconded the motion, motion passed. Quoters had requested to be notified immediately due to fluctuating prices. Logsdon asked whose responsibility it was to notify the winning bidder. Lindsey said he would contact Scott Meadors after the meeting.

CR 312

Toler asked what had to be done to get County Road 312 extended out 900'? Lloyd checked to make sure who owned the property. It actually belongs to Spencer County, but is not on the inventory, so it would have to be added and then submitted to the state. Although it is a county road, it is not county maintained. Logsdon asked if two weeks would give Chuck and Tara enough time to check the current status and what their recommendation would be? They will check into it and report back.

Salary Ordinance Amendment

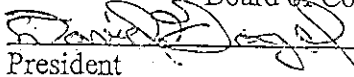
Gogel explained that the salary ordinance for the county highway needed to be amended. The Commissioners had went before the Council at their last meeting to change the salary ordinance on the highway department because of the new structure in classifications. They forgot that there were three people being paid out of Cum Bridge and that takes a separate Salary Ordinance. He contacted the attorney for the council to let them know. Now they need to go back to the Council in April to get the Salary Ordinance changed for those three workers, so salaries would match the others. Wetherill will have the paperwork done for the April 18th meeting.

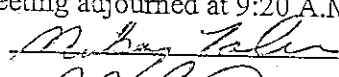
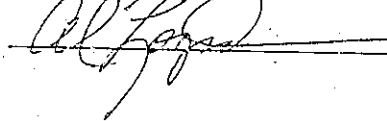
Auditor Resignation

Logsdon voiced his displeasure with the fact that he was not notified of the fact that the Auditor has resigned. He felt that professional courtesy would have been for someone, either the President of the Commissioners or the legal counsel, to call and let him know. He said he worked hard to get along with everyone and he should have been notified. He hated to see Donna leave but felt that something that major should have warranted an e-mail or a phone call. All three Commissioners should work together as a team.

Logsdon stated that on the 17th the Director of 911 for the State was going to give a presentation prior to the AIC meeting, he wanted to know if Kati Richard, Kermit Lindsey and Al Perdue had been notified. Lynam told him they had all been notified. Logsdon made a motion to adjourn, Toler seconded the motion, all in favor. Meeting was adjourned at 9:20 A.M.

Board of Commissioners meeting adjourned at 9:20 A.M.


President

Attest:

Donna J. Lynam, Auditor